



MAIL STOP PATENT
Attorney Docket No. 25550

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Jacob LAVEE et al.

Serial No.: 10/612,337

Filed: July 3, 2003

Title: **HYDRAULIC ASSIST METHOD AND SYSTEM**

TRANSMITTAL LETTER

The Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Information Disclosure Statement
- (3) Form PTO-1449 with thirty (30) references

Respectfully submitted,

NATH & ASSOCIATES PLLC

By: _____

Gary M. Nath
Gary M. Nath
Registration No. 26,965
Marvin C. Berkowitz
Registration No. 47,421
Customer No. 20529

Date: September 3, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jacob LAVEE et al.

Serial No.: 10/612,337

Filed: July 3, 2003

Title: **HYDRAULIC ASSIST METHOD AND SYSTEM****INFORMATION DISCLOSURE STATEMENT**Commissioner of Patents
Alexandria, Virginia 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- ☒ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- ☐ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

- ☐ i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or
- ☐ ii. a check in the amount required by 37 C.F.R. §1.17(p).
- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.
- ☐ Certification report(e) below; and
- ☐ a check in the amount as required by §1.17(p).
- ☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.
- ☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

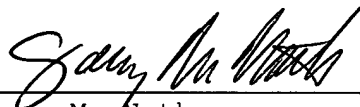
- [] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
- or
- [] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- or
- [] Appropriate certification is attached.
- [x] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.
- [x] g. Copies of the documents are attached herewith with a completed Form PTO-1449.
- or
- [] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: _____


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FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty Docket
25550Serial No.
10/612,337

Applicant

LAVEE, et al.

Filing Date
July 3, 2003Group Art Unit
Not yet assigned

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	AA	4,192,293	Mar. 11, 1980	Asrican			Sep. 5, 1978
	AB	5,131,905	July 21, 1992	Grooters			July 16, 1990
	AC	5,429,584	July 4, 1995	Chiu			Aug. 18, 1993
	AD	5,713,954	Feb. 3, 1998	Rosenberg et al.			June 13, 1995
	AE	5,800,525	Sep. 1, 1998	Bachinski et al.			June 4, 1997
	AF	5,971,910	Oct. 26, 1999	Tsitlik et al.			Oct. 17, 1997
	AG	6,406,422	June 18, 2002	Landesberg			Mar. 2, 2000
	AH	6,508,756	Jan. 21, 2003	Kung et al.			Dec. 30, 1998
	AI	4,302,854	Dec. 1, 1981	Runge			June 4, 1980
	AJ	4,621,617	Nov. 11, 1986	Sharma			June 1, 1982
	AK	4,809,676	Mar. 7, 1989	Freeman			Dec. 28, 1987
	AL	5,170,784	Dec. 15, 1992	Ramon et al.			Nov. 27, 1990

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	AM						

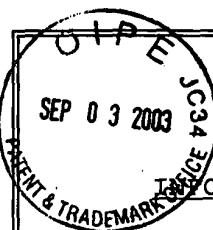
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AN	
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Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.

 <p style="text-align: center;">FORM PTO-1449</p> <p style="text-align: center;">INFORMATION DISCLOSURE CITATION</p>				Atty Docket 25550		Serial No. 10/612,337	
Applicant LAVEE, et al.				Filing Date July 3, 2003		Group Art Unit Not yet assigned	


U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	BA	5,498,228	Mar. 12, 1996	Royalty et al.			Aug. 8, 1994
	BB	5,509,888	Apr. 23, 1996	Miller			July 26, 1994
	BC	5,558,617	Sep. 24, 1996	Heilman et al.			Nov. 18, 1994
	BD	5,690,693	Nov. 25, 1997	Wang et al.			June 7, 1995
	BE	5,996,964	Dec. 7, 1999	Ben-Shalom			Aug. 18, 1998
	BF	6,058,330	May 2, 2000	Borza			Mar. 6, 1998
	BG	6,095,189	Aug. 1, 2000	Ben-Shalom			Aug. 18, 1998
	BH	6,099,460	Aug. 8, 2000	Denker			Apr. 28, 1998
	BI	6,123,724	Sep. 26, 2000	Denker			Apr. 14, 1999
	BJ	6,240,318	May 29, 2001	Phillips			Oct. 27, 1999
	BK	6,251,061	June 26, 2001	Hastings et al.			Sep. 9, 1998
	BL	6,325,771	Dec. 4, 2001	Kelly et al.			Apr. 11, 2000

FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub-Class	Trans-lation
	BM						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	BN		

Examiner	Date Considered
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				Applicant LAVEE, et al.			
				Filing Date July 3, 2003		Group Art Unit Not yet assigned	
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	CA	6,368,083	Apr. 9, 2002	Wampler			Oct. 13, 2000
	CB						
	CC						
	CD						
	CE						
	CF						
	CG						
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub-Class	Translation
	CH						
	CI						
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	CJ		Oz, Mehmet C., et al., "Direct Cardiac Compression Devices". The Journal of Heart and Lung Transplantation, vol. 21, no. 10, pp. 1049-1055, October 2002.				
	CK		Williams, Matthew R., et al., "Direct Cardiac Compression for cardiogenic Shock With the CardioSupport System". Ann. Thorac. Surg., vol. 71, pp. 188-189, 2001.				
	CL		Lavee, Jacob, "Mechanical Alternatives to the Human Heart", from <i>Contemporary Cardiology: Cardiogenic Shock: Diagnosis and Treatment</i> , Hasdai, David, et al., eds., Humana Press Inc., Totoaw, NJ., 2002.				
	CM		Lavee, Jacob, et al., "Mechanical Alternatives to the Human Heart: Paracorporeal Assist Systems", IMAJ, vol. 4, pp. 125-130, 2002.				
	CN		Müller, Hanns Walter, "Flow behavior of ferrofluids", Max-Planck-Institute for Polymer Research-Theory Group, et al., http://www-theory.mpip-mainz.mpg.de/~hwm/ferro.html , Dec. 12, 2002.				
Examiner				Date Considered			
<p>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.</p>							